

Message Text

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EXDIS

FROM USDEL LOS

FOR DEPUTY SECRETARY INGERSOLL AND UNDERSECRETARIES SISCO AND MAW
FROM AMBASSADOR MOORE

E.O. 11652: XGDS

TAGS: PLOS XF

SUBJ: LOS: DISCUSSION WITH ISRAELI DELEGATION ON PROBLEM OF
STRAITS AND INNOCENT PASSAGE

REFS: A. GENEVA 2375, B. STATE 82447

1. SUMMARY: AMBASSADOR MOORE MET WITH ISRAELI DEL AT THEIR REQUEST TO REVIEW PROBABLE CONTENT OF SINGLE TEXT IN COMMITTEE II ON STRAITS. WHEN MOORE INDICATED WE EXPECTED UK-FIJI REXT TO FORM BASIS AND THAT IT NOW HAD REFERENCE TO STRAITS CONNECTING HIGH SEAS TO TERRITORIAL SEA OF A FOREIGN STATE (TIRAN) IN WHICH NON-SUSPENDABLE INNOCENT PASSAGE WAS PRESERVED, AMBASSADORS NAJAR AND DORON SEEMED RELIEVED. THEY DID NOT PRESS FOR OUTCOME OF UNIMPEDED PASSAGE FOR TIRAN IN SINGLE TEXT AND ALSO DID NOT SEEM TO WANT TO PUSH A CLAUSE PRESERVING THE LEGAL POSITIONS OF PARTIES CONCERNED IN SUCH STRAITS, IMPRESSION CONVEYED WAS THAT THOUGH ISRAEL IS WOULD RESERVE THEIR LEGAL POSITION AND EXPECTED ARABS TO DO SAME, THEY WERE RELAXED ON CONVENTION OUTCOME WITH NON-SUSPENDABLE INNOCENT PASSAGE FOR TIRAN. EARLIER INDICATION OF INTEREST IN DIRECT DISCUSSIONS WITH EGYPT ON THIS ISSUE DID NOT ARISE AND PER INSTRUCTIONS WAS NOT RAISED.

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2. AT REQUEST OF ISRAELI DELEGATION AMBASSADOR JOHN NORTON MOORE MET 4/24/75 WITH ISRAELI CHIEF OF DELEGATION AMB. AMIEL NAJAR AND DEL MEMBER AMB. JACOB DORON (WITH ISRAELI MISSION TO UN IN NEW YORK. ALSO PRESENT ON US SIDE WAS HARRY BLANEY (STATE DEPARTMENT MEMBER LOS DEL -S/P).

3. PRUPOSE OF MEETING WAS CONCERN ON THE PART OF ISRAELIS FOR INFORMATION ON HOW PROPOSED SINGLE TEXT ON STRAITS WOULD COME OUT. ALSO ISRAELIS PROVIDED SOME HINT OF CURRENT THINKING ABOUT THEIR POSITION ON STRAITS AND SPECIFICALLY THE PROBLEM OF TIRAN.

4. MOORE INDICATED THAT WE EXPECTED SINGLE TEXT NOW BEING PREPARED WOULD IN LARGE PART REFLECT UK-FIJI PROPOSAL WHICH HAD PROVISION FOR UNIMPEDED PASSAGE OF STRAITS CONNECTING HIGH SEAS TO HIGH SEAS AND ALSO CONTAINING A PROVISION ESTABLISHING A REGIME OF NON-SUSPENDABLE INNOCENT PASSAGE FOR STRAITS CONNECTING HIGH SEAS TO TERRITORIAL SEAS OF A FOREIGN STATE (INCLUDING TIRAN). FURTHER, THERE WOULD PROBABLY NOT BE A CLAUSE SPECIFICALLY RESERVING THE LEGAL POSITION OF PARTIES IN SUCH STRAITS. MOORE INDICATED THIS WOULD BE THE BEST POSSIBLE OUTCOME WE COULD EXPECT IN PRESENT CONTEXT UNLESS ISRAELIS FELT IT WOULD BE USEFUL TO HAVE A CLAUSE PRESERVING THE LEGAL POSITION OF THE PARTIES IN SUCH STRAITS AS WE HAD PROPOSED LAST SUMMER.

5. NAJAR INDICATED THAT HE UNDERSTOOD SITUATION AND TREND IN CONFERENCE AND HINTED THAT SUCH AN OUTCOME WOULD NOT REPEAT NOT BE COMPLETELY UNACCEPTABLE FOR ISRAEL. THEY WOULD, NATURALLY, RESERVE THEIR LEGAL RIGHTS AND MAKE THIS CLEAR IN THE CONFERENCE AND LATER.

6. NAJAR MADE LONG EXPOSITION ON HOW IT WAS REALLY IN EGYPT'S OWN INTEREST, GIVEN OPENING OF THE SUEZ CANAL, TO PROTECT THE MOVEMENT OF SHIPPING AND PERHAPS THIS SHOULD BE INDICATED TO THEM IN DISCUSSIONS. MOORE INDICATED WE HAD AND SAID HE HOPED WE COULD GET AWAY FROM ANY CONFRONTATION SITUATION HERE IN GENEVA ON THIS MATTER AND SAID HE THOUGHT LOW KEY APPROACH WOULD BE BEST FOR ALL. NAJAR SAID HE ENTIRELY AGREED AND FELT THERE WAS NO NEED TO MAKE AN ISSUE UNLESS DIRECTLY CONFRONTED AND EVEN THEN TO DO SO IN LOW KEY WAY.

7. THERE WAS NO MENTION OF DESIRE (SEE REFTTEL A) FOR DISCUSSIONS
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WITH EGYPT DIRECTLY OR INDIRECTLY ON THIS TOPIC. AS INSTRUCTED WE DID NOT RAISE ISSUE.

8. COMMENT: THE ISRAELIS APPEARED MORE RELAXED THAN AT ANY TIME PREVIOUSLY ON THE PROBLEM OF TIRAN. WHILE ALWAYS NOTING ITS IMPORTANCE FOR ISRAEL, THEY NEVERTHELESS INDICATED IMPLICITLY THAT THEY MIGHT BE ABLE TO ACCEPT A FINAL CONVENTION WITH NON-SUSPENDABLE INNOCENT PASSAGE ALWAYS RESERVING THEIR RIGHTS. IF NAJAR IS RE-

FLECTING AN OFFICIAL RECENT ASSESSMENT OF THEIR SITUATION IN THE
LOS CONFERENCE, THERE APPEARS TO BE A SIGNIFICANT SHIFT FROM HER
PREVIOUS DESIRE TO MOUNT MAJOR EFFORT TO OBTAIN UNIMPEDED STRAITS
PASSAGE FOR TIRAN. ONLY NON-LOS ITEM OF INTEREST IN CONVERSATION
WAS PERSONAL STATEMENT BY NAJAR THAT SOLUTION OF MIDDLE EAST PRO-
BLEM LAY IN CONTEXT OF RELATIONS BETWEEN ISRAEL AND JORDAN RATHER
THAN WITHIN ANY WIDER CONTEXT.DALE

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